
HOUSE BILL 2066

State of Washington

60th Legislature

2007 Regular Session

By Representatives Hunt, Campbell, Upthegrove and Schual-Berke; by request of Department of Health

Read first time 02/07/2007. Referred to Committee on Select Committee on Environmental Health.

1 AN ACT Relating to clarifying regulatory authority for large on-
2 site sewage systems; amending RCW 70.05.070, 43.20.050, 90.48.162,
3 90.48.110, and 36.94.010; adding new sections to chapter 70.118 RCW;
4 adding a new chapter to Title 70 RCW; creating a new section; and
5 prescribing penalties.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 PART 1

8 CREATING A NEW CHAPTER DEDICATED TO LARGE ON-SITE

9 SEWAGE SYSTEMS

10 NEW SECTION. Sec. 1. FINDINGS AND INTENT. The legislature finds
11 that:

12 (1) Protection of the environment and public health requires
13 properly designed, operated, and maintained on-site sewage systems.
14 Failure of those systems can pose certain health and environmental
15 hazards if sewage leaks above ground or if untreated sewage reaches
16 surface or groundwater.

17 (2) Chapter 70.118A RCW provides a framework for ongoing management
18 of on-site sewage systems located in marine recovery areas and

1 regulated by local health jurisdictions under state board of health
2 rules. This chapter will provide a framework for comprehensive
3 management of large on-site sewage systems statewide.

4 (3) The primary purpose of this chapter is to establish, in a
5 single state agency, comprehensive regulation of the design, operation,
6 and maintenance of large on-site sewage systems, and their operators,
7 that provides both public health and environmental protection. To
8 accomplish these purposes, this chapter provides for:

9 (a) The permitting and continuing oversight of large on-site sewage
10 systems;

11 (b) The establishment by the department of standards and rules for
12 the siting, design, construction, installation, operation, maintenance,
13 and repair of large on-site sewage systems; and

14 (c) The enforcement by the department of the standards and rules
15 established under this chapter.

16 NEW SECTION. **Sec. 2.** DEFINITIONS. The definitions in this
17 section apply throughout this chapter unless the context clearly
18 requires otherwise.

19 (1) "Department" means the state department of health.

20 (2) "Industrial wastewater" means the water or liquid carried waste
21 from an industrial process. These wastes may result from any process
22 or activity of industry, manufacture, trade, or business, from the
23 development of any natural resource, or from animal operations such as
24 feedlots, poultry houses, or dairies. The term includes contaminated
25 storm water and leachate from solid waste facilities.

26 (3) "Large on-site sewage system" means an on-site sewage system
27 with design flows of between three thousand five hundred gallons per
28 day and one hundred thousand gallons per day.

29 (4) "On-site sewage system" means an integrated system of
30 components, located on or nearby the property it serves, that conveys,
31 stores, treats, and provides subsurface soil treatment and disposal of
32 domestic sewage. It consists of a collection system, a treatment
33 component or treatment sequence, and a subsurface soil disposal
34 component. It may or may not include a mechanical treatment system.
35 An on-site sewage system also refers to a holding tank sewage system or
36 other system that does not have a soil dispersal component. A system

1 into which storm water or industrial wastewater is discharged is not
2 included in the definition of on-site sewage system.

3 (5) "Person" means any individual, corporation, company,
4 association, firm, partnership, governmental agency, or any other
5 entity whatsoever, and the authorized agents of any such entities.

6 (6) "Secretary" means the secretary of health.

7 (7) "Waters of the state" has the same meaning as defined in RCW
8 90.48.020.

9 NEW SECTION. **Sec. 3.** AUTHORIZING THE DEPARTMENT TO PROVIDE
10 COMPREHENSIVE REGULATION OF LARGE ON-SITE SEWAGE SYSTEMS. (1) For the
11 protection of human health and the environment the department shall:

12 (a) Establish and provide for the comprehensive regulation of large
13 on-site sewage systems including, but not limited to, system siting,
14 design, construction, installation, operation, maintenance, and repair;

15 (b) Control and prevent pollution of streams, lakes, rivers, ponds,
16 inland waters, salt waters, water courses, and other surface and
17 underground waters of the state of Washington, except to the extent
18 authorized by permits issued under this chapter;

19 (c) Issue annual operating permits for large on-site sewage systems
20 based on the system's ability to function properly in compliance with
21 the applicable comprehensive regulatory requirements; and

22 (d) Enforce the large on-site sewage system requirements.

23 (2) Large on-site sewage systems permitted by the department may
24 not be used for treatment and disposal of industrial wastewater or
25 combined sanitary sewer and storm water systems.

26 (3) The work group convened under RCW 70.118A.080(4) to make
27 recommendations to the appropriate committees of the legislature for
28 the development of certification or licensing of maintenance
29 specialists shall include recommendations for the development of
30 certification or licensing of large on-site system operators.

31 NEW SECTION. **Sec. 4.** ANNUAL OPERATING PERMITS REQUIRED--
32 APPLICATION. (1) A person may not install or operate a large on-site
33 sewage system without an operating permit as provided in this chapter
34 after July 1, 2009. The owner of the system is responsible for
35 obtaining a permit.

1 (2) The department shall issue operating permits in accordance with
2 the rules adopted under section 5 of this act.

3 (3) The department shall ensure the system meets all applicable
4 siting, design, construction, and installation requirements prior to
5 issuing an initial operating permit. Prior to renewing an operating
6 permit, the department may review the performance of the system to
7 determine compliance with rules and any permit conditions.

8 (4) At the time of initial permit application or at the time of
9 permit renewal the department shall impose those permit conditions,
10 requirements for system improvements, and compliance schedules as it
11 determines are reasonable and necessary to ensure that the system will
12 be operated and maintained properly. Each application must be
13 accompanied by a fee as established in rules adopted by the department.

14 (5) Operating permits shall be issued for a term of one year, and
15 shall be renewed annually, unless the operator fails to apply for a new
16 permit or the department finds good cause to deny the application for
17 renewal.

18 (6) Each permit may be issued only for the site and owner named in
19 the application. Permits are not transferable or assignable except
20 with the written approval of the department.

21 (7) The department may deny an application for a permit or modify,
22 suspend, or revoke a permit in any case in which it finds that the
23 permit was obtained by fraud or there is or has been a failure,
24 refusal, or inability to comply with the requirements of this chapter
25 or the standards or rules adopted under this chapter. RCW 43.70.115
26 governs notice of denial, revocation, suspension, or modification and
27 provides the right to an adjudicative proceeding.

28 (8) Any permit issued by the department of ecology for a large
29 on-site sewage system under chapter 90.48 RCW is valid until it first
30 expires after the effective date of this section. The system owner
31 shall apply for an operating permit at least one hundred twenty days
32 prior to expiration of the department of ecology permit.

33 (9) Systems required to meet operator certification requirements
34 under chapter 70.95B RCW must continue to meet those requirements as a
35 condition of the department operating permit.

36 NEW SECTION. **Sec. 5.** RULE MAKING. (1) For the protection of
37 human health and the environment, the secretary shall adopt rules for

1 the comprehensive regulation of large on-site sewage systems, which
2 includes, but is not limited to, the siting, design, construction,
3 installation, maintenance, repair, and permitting of the systems.

4 (2) In adopting the rules, the secretary shall, in consultation
5 with the department of ecology, require that large on-site sewage
6 systems comply with the applicable sections of chapter 90.48 RCW
7 regarding control and prevention of pollution of waters of the state,
8 including but not limited to:

9 (a) Surface and ground water standards established under RCW
10 90.48.035; and

11 (b) Those provisions requiring all known, available, and reasonable
12 methods of treatment.

13 (3) In adopting the rules, the secretary shall ensure that
14 requirements for large on-site sewage systems are consistent with the
15 requirements of any comprehensive plans or development regulations
16 adopted under chapter 36.70A RCW or any other applicable comprehensive
17 plan, land use plan, or development regulation adopted by a city, town,
18 or county.

19 NEW SECTION. **Sec. 6.** CIVIL PENALTIES. (1) A person who violates
20 a law or rule regulating on-site sewage systems administered by the
21 department is subject to a penalty of not more than ten thousand
22 dollars per day for every violation. Every violation is a separate and
23 distinct offense. In case of a continuing violation, each day's
24 continuing violation is a separate and distinct violation. The penalty
25 assessed must reflect the significance of the violation and the
26 previous record of compliance on the part of the person responsible for
27 compliance with on-site sewage system requirements.

28 (2) Every person who, through an act of commission or omission,
29 procures, aids, or abets a violation is considered to have violated the
30 provisions of this section and is subject to the penalty provided in
31 this section.

32 (3) The penalty provided for in this section must be imposed by a
33 notice in writing to the person against whom the civil penalty is
34 assessed and must describe the violation. The notice must be
35 personally served in the manner of service of a summons in a civil
36 action or in a manner that shows proof of receipt. A penalty imposed

1 by this section is due twenty-eight days after receipt of notice unless
2 application for an adjudicative proceeding is filed as provided in
3 subsection (4) of this section.

4 (4) Within twenty-eight days after notice is received, the person
5 incurring the penalty may file an application for an adjudicative
6 proceeding and may pursue subsequent review as provided in chapter
7 34.05 RCW and applicable rules.

8 (5) A penalty imposed by a final administrative order is due upon
9 service of the final administrative order. A person who fails to pay
10 a penalty assessed by a final administrative order within thirty days
11 of service of the final administrative order shall pay, in addition to
12 the amount of the penalty, interest at the rate of one percent of the
13 unpaid balance of the assessed penalty for each month or part of a
14 month that the penalty remains unpaid, commencing with the month in
15 which the notice of penalty was served, and reasonable attorneys' fees
16 as are incurred if civil enforcement of the final administrative order
17 is required to collect the penalty.

18 (6) A person who institutes proceedings for judicial review of a
19 final administrative order assessing a civil penalty under this chapter
20 shall place the full amount of the penalty in an interest-bearing
21 account in the registry of the reviewing court. At the conclusion of
22 the proceeding the court shall, as appropriate, enter a judgment on
23 behalf of the department and order that the judgment be satisfied to
24 the extent possible from moneys paid into the registry of the court or
25 shall enter a judgment in favor of the person appealing the penalty
26 assessment and order return of the moneys paid into the registry of the
27 court together with accrued interest to the person appealing. The
28 judgment may award reasonable attorneys' fees for the cost of the
29 attorney general's office in representing the department.

30 (7) If no appeal is taken from a final administrative order
31 assessing a civil penalty under this chapter, the department may file
32 a certified copy of the final administrative order with the clerk of
33 the superior court in which the on-site sewage system is located or in
34 Thurston county, and the clerk shall enter judgment in the name of the
35 department and in the amount of the penalty assessed in the final
36 administrative order.

37 (8) A judgment entered under subsection (6) or (7) of this section
38 has the same force and effect as, and is subject to all of the

1 provisions of law relating to, a judgment in a civil action, and may be
2 enforced in the same manner as any other judgment of the court in which
3 it is entered.

4 (9) The large on-site sewage systems account is created in the
5 custody of the state treasurer. All receipts from penalties imposed
6 under this section shall be deposited into the account. Expenditures
7 from the account shall be used by the department to provide training
8 and technical assistance to on-site sewage system owners and operator.
9 Only the secretary or the secretary's designee may authorize
10 expenditures from the account. The account is subject to allotment
11 procedures under chapter 43.88 RCW, but an appropriation is not
12 required for expenditures.

13 NEW SECTION. **Sec. 7.** INJUNCTIONS. Notwithstanding the existence
14 or use of any other remedy, the department may bring an action to
15 enjoin a violation or threatened violation of this chapter or rules
16 adopted under this chapter. The department may bring the action in the
17 superior court of the county in which the large on-site sewage system
18 is located or in the superior court of Thurston county.

19 NEW SECTION. **Sec. 8.** The authority and duties created in this
20 chapter are in addition to any authority and duties already provided in
21 law. Nothing in this chapter limits the powers of the state or any
22 political subdivision to exercise such authority.

23 **PART 2**

24 **AMENDING CHAPTERS 70.118 AND 70.05 RCW TO ENHANCE LOCAL**
25 **HEALTH OFFICER ENFORCEMENT AUTHORITY REGARDING ON-SITE SYSTEMS**

26 NEW SECTION. **Sec. 9.** A new section is added to chapter 70.118 RCW
27 to read as follows:

28 CIVIL PENALTIES. A local health officer who is responsible for
29 administering and enforcing regulations regarding on-site sewage
30 disposal systems is authorized to issue civil penalties for violations
31 of those regulations under the same limitations and requirements
32 imposed on the department under section 6 of this act, except that
33 judgments shall be entered in the name of the local health jurisdiction

1 and penalties shall be placed into the general fund or funds of the
2 entity or entities operating the local health jurisdiction.

3 **Sec. 10.** RCW 70.05.070 and 1999 c 391 s 5 are each amended to read
4 as follows:

5 The local health officer, acting under the direction of the local
6 board of health or under direction of the administrative officer
7 appointed under RCW 70.05.040 or 70.05.035, if any, shall:

8 (1) Enforce the public health statutes of the state, rules of the
9 state board of health and the secretary of health, and all local health
10 rules, regulations and ordinances within his or her jurisdiction
11 including imposition of penalties authorized under RCW 70.119A.030 and
12 section 9 of this act, the confidentiality provisions in RCW 70.24.105
13 and rules adopted to implement those provisions, and filing of actions
14 authorized by RCW 43.70.190;

15 (2) Take such action as is necessary to maintain health and
16 sanitation supervision over the territory within his or her
17 jurisdiction;

18 (3) Control and prevent the spread of any dangerous, contagious or
19 infectious diseases that may occur within his or her jurisdiction;

20 (4) Inform the public as to the causes, nature, and prevention of
21 disease and disability and the preservation, promotion and improvement
22 of health within his or her jurisdiction;

23 (5) Prevent, control or abate nuisances which are detrimental to
24 the public health;

25 (6) Attend all conferences called by the secretary of health or his
26 or her authorized representative;

27 (7) Collect such fees as are established by the state board of
28 health or the local board of health for the issuance or renewal of
29 licenses or permits or such other fees as may be authorized by law or
30 by the rules of the state board of health;

31 (8) Inspect, as necessary, expansion or modification of existing
32 public water systems, and the construction of new public water systems,
33 to assure that the expansion, modification, or construction conforms to
34 system design and plans;

35 (9) Take such measures as he or she deems necessary in order to
36 promote the public health, to participate in the establishment of
37 health educational or training activities, and to authorize the

1 attendance of employees of the local health department or individuals
2 engaged in community health programs related to or part of the programs
3 of the local health department.

4 **PART 3**

5 **AMENDING STATE BOARD OF HEALTH RULE-MAKING AUTHORITY FOR**
6 **ON-SITE SEWAGE SYSTEMS**

7 **Sec. 11.** RCW 43.20.050 and 1993 c 492 s 489 are each amended to
8 read as follows:

9 (1) The state board of health shall provide a forum for the
10 development of public health policy in Washington state. It is
11 authorized to recommend to the secretary means for obtaining
12 appropriate citizen and professional involvement in all public health
13 policy formulation and other matters related to the powers and duties
14 of the department. It is further empowered to hold hearings and
15 explore ways to improve the health status of the citizenry.

16 (a) At least every five years, the state board shall convene
17 regional forums to gather citizen input on public health issues.

18 (b) Every two years, in coordination with the development of the
19 state biennial budget, the state board shall prepare the state public
20 health report that outlines the health priorities of the ensuing
21 biennium. The report shall:

22 (i) Consider the citizen input gathered at the forums;

23 (ii) Be developed with the assistance of local health departments;

24 (iii) Be based on the best available information collected and
25 reviewed according to RCW 43.70.050 and recommendations from the
26 council;

27 (iv) Be developed with the input of state health care agencies. At
28 least the following directors of state agencies shall provide timely
29 recommendations to the state board on suggested health priorities for
30 the ensuing biennium: The secretary of social and health services, the
31 health care authority administrator, the insurance commissioner, the
32 superintendent of public instruction, the director of labor and
33 industries, the director of ecology, and the director of agriculture;

34 (v) Be used by state health care agency administrators in preparing
35 proposed agency budgets and executive request legislation;

1 (vi) Be submitted by the state board to the governor by January 1st
2 of each even-numbered year for adoption by the governor. The governor,
3 no later than March 1st of that year, shall approve, modify, or
4 disapprove the state public health report.

5 (c) In fulfilling its responsibilities under this subsection, the
6 state board may create ad hoc committees or other such committees of
7 limited duration as necessary.

8 (2) In order to protect public health, the state board of health
9 shall:

10 (a) Adopt rules necessary to assure safe and reliable public
11 drinking water and to protect the public health. Such rules shall
12 establish requirements regarding:

13 (i) The design and construction of public water system facilities,
14 including proper sizing of pipes and storage for the number and type of
15 customers;

16 (ii) Drinking water quality standards, monitoring requirements, and
17 laboratory certification requirements;

18 (iii) Public water system management and reporting requirements;

19 (iv) Public water system planning and emergency response
20 requirements;

21 (v) Public water system operation and maintenance requirements;

22 (vi) Water quality, reliability, and management of existing but
23 inadequate public water systems; and

24 (vii) Quality standards for the source or supply, or both source
25 and supply, of water for bottled water plants.

26 (b) Adopt rules and standards for prevention, control, and
27 abatement of health hazards and nuisances related to the disposal of
28 wastes, solid and liquid, including but not limited to sewage, garbage,
29 refuse, and other environmental contaminants; adopt standards and
30 procedures governing the design, construction, and operation of sewage,
31 garbage, refuse and other solid waste collection, treatment, and
32 disposal facilities;

33 (c) Adopt rules controlling public health related to environmental
34 conditions including but not limited to heating, lighting, ventilation,
35 sanitary facilities, cleanliness and space in all types of public
36 facilities including but not limited to food service establishments,
37 schools, institutions, recreational facilities and transient
38 accommodations and in places of work;

1 (d) Adopt rules for the imposition and use of isolation and
2 quarantine;

3 (e) Adopt rules for the prevention and control of infectious and
4 noninfectious diseases, including food and vector borne illness, and
5 rules governing the receipt and conveyance of remains of deceased
6 persons, and such other sanitary matters as admit of and may best be
7 controlled by universal rule; and

8 (f) Adopt rules for accessing existing data bases for the purposes
9 of performing health related research.

10 (3) The state board shall adopt rules for the design, construction,
11 installation, operation, and maintenance of those on-site sewage
12 systems with design flows of less than three thousand five hundred
13 gallons per day.

14 (4) The state board may delegate any of its rule-adopting authority
15 to the secretary and rescind such delegated authority.

16 ((+4)) (5) All local boards of health, health authorities and
17 officials, officers of state institutions, police officers, sheriffs,
18 constables, and all other officers and employees of the state, or any
19 county, city, or township thereof, shall enforce all rules adopted by
20 the state board of health. In the event of failure or refusal on the
21 part of any member of such boards or any other official or person
22 mentioned in this section to so act, he or she shall be subject to a
23 fine of not less than fifty dollars, upon first conviction, and not
24 less than one hundred dollars upon second conviction.

25 ((+5)) (6) The state board may advise the secretary on health
26 policy issues pertaining to the department of health and the state.

27 **PART 4**

28 **EXEMPTING OPERATORS**

29 **CERTIFIED BY THE DEPARTMENT OF HEALTH**

30 **Sec. 12.** RCW 90.48.162 and 1972 ex.s. c 140 s 1 are each amended
31 to read as follows:

32 Any county or any municipal or public corporation operating or
33 proposing to operate a sewerage system, including any system which
34 collects only domestic sewerage, which results in the disposal of waste
35 material into the waters of the state shall procure a permit from the
36 department of ecology before so disposing of such materials. This

1 section is intended to extend the permit system of RCW 90.48.160 to
2 counties and municipal or public corporations and the provisions of RCW
3 90.48.170 through ((90.48.210)) 90.48.200 and 90.52.040 shall be
4 applicable to the permit requirement imposed under this section. A
5 permit under this chapter is not required for large on-site sewage
6 systems permitted by the department of health under chapter 70.-- RCW
7 (sections 1 through 8 of this act) or for on-site sewage systems
8 permitted by local health jurisdictions under rules of the state board
9 of health.

10 **Sec. 13.** RCW 90.48.110 and 2002 c 161 s 5 are each amended to read
11 as follows:

12 (1) Except under subsection (2) of this section, all engineering
13 reports, plans, and specifications for the construction of new sewerage
14 systems, sewage treatment or disposal plants or systems, or for
15 improvements or extensions to existing sewerage systems or sewage
16 treatment or disposal plants, and the proposed method of future
17 operation and maintenance of said facility or facilities, shall be
18 submitted to and be approved by the department, before construction
19 thereof may begin. No approval shall be given until the department is
20 satisfied that said plans and specifications and the methods of
21 operation and maintenance submitted are adequate to protect the quality
22 of the state's waters as provided for in this chapter. Approval under
23 this chapter is not required for large on-site sewage systems permitted
24 by the department of health under chapter 70.-- RCW (sections 1 through
25 8 of this act) or for on-site sewage systems regulated by local health
26 jurisdictions under rules of the state board of health.

27 (2) To promote efficiency in service delivery and intergovernmental
28 cooperation in protecting the quality of the state's waters, the
29 department may delegate the authority for review and approval of
30 engineering reports, plans, and specifications for the construction of
31 new sewerage systems, sewage treatment or disposal plants or systems,
32 or for improvements or extensions to existing sewerage system or sewage
33 treatment or disposal plants, and the proposed method of future
34 operations and maintenance of said facility or facilities and
35 industrial pretreatment systems, to local units of government
36 requesting such delegation and meeting criteria established by the
37 department.

1 (3) For any new or revised general sewer plan submitted for review
2 under this section, the department shall review and either approve,
3 conditionally approve, reject, or request amendments within ninety days
4 of the receipt of the submission of the plan. The department may
5 extend this ninety-day time limitation for new submittals by up to an
6 additional ninety days if insufficient time exists to adequately review
7 the general sewer plan. For rejections of plans or extensions of the
8 timeline, the department shall provide in writing to the local
9 government entity the reason for such action. In addition, the
10 governing body of the local government entity and the department may
11 mutually agree to an extension of the deadlines contained in this
12 section.

13 **PART 5**

14 **AMENDING RCW 36.94.010 TO CLARIFY ITS APPLICABILITY TO**
15 **LARGE ON-SITE SEWAGE SYSTEMS**

16 **Sec. 14.** RCW 36.94.010 and 1997 c 447 s 10 are each amended to
17 read as follows:

18 As used in this chapter:

19 (1) A "system of sewerage" means and may include any or all of the
20 following:

21 (a) Sanitary sewage collection, treatment, and/or disposal
22 facilities and services, including without limitation on-site or off-
23 site sanitary sewerage facilities, large on-site sewage systems defined
24 under section 2 of this act, inspection services and maintenance
25 services for private or public on-site systems, or any other means of
26 sewage treatment and disposal approved by the county;

27 (b) Combined sanitary sewage disposal and storm or surface water
28 drains and facilities;

29 (c) Storm or surface water drains, channels, and facilities;

30 (d) Outfalls for storm drainage or sanitary sewage and works,
31 plants, and facilities for storm drainage or sanitary sewage treatment
32 and disposal, and rights and interests in property relating to the
33 system;

34 (e) Combined water and sewerage systems;

35 (f) Point and nonpoint water pollution monitoring programs that are

1 directly related to the sewerage facilities and programs operated by a
2 county;

3 (g) Public restroom and sanitary facilities;

4 (h) The facilities and services authorized in RCW 36.94.020; and

5 (i) Any combination of or part of any or all of such facilities.

6 (2) A "system of water" means and includes:

7 (a) A water distribution system, including dams, reservoirs,
8 aqueducts, plants, pumping stations, transmission and lateral
9 distribution lines and other facilities for distribution of water;

10 (b) A combined water and sewerage system;

11 (c) Any combination of or any part of any or all of such
12 facilities.

13 (3) A "sewerage and/or water general plan" means a general plan for
14 a system of sewerage and/or water for the county which shall be an
15 element of the comprehensive plan established by the county pursuant to
16 RCW 36.70.350(6) and/or chapter 35.63 RCW, if there is such a
17 comprehensive plan.

18 (a) A sewerage general plan shall include the general location and
19 description of treatment and disposal facilities, trunk and interceptor
20 sewers, pumping stations, monitoring and control facilities, channels,
21 local service areas and a general description of the collection system
22 to serve those areas, a description of on-site sanitary sewerage system
23 inspection services and maintenance services, and other facilities and
24 services as may be required to provide a functional and implementable
25 plan, including preliminary engineering to assure feasibility. The
26 plan may also include a description of the regulations deemed
27 appropriate to carrying out surface drainage plans.

28 (b) A water general plan shall include the general location and
29 description of water resources to be utilized, wells, treatment
30 facilities, transmission lines, storage reservoirs, pumping stations,
31 and monitoring and control facilities as may be required to provide a
32 functional and implementable plan.

33 (c) Water and/or sewerage general plans shall include preliminary
34 engineering in adequate detail to assure technical feasibility and, to
35 the extent then known, shall further discuss the methods of
36 distributing the cost and expense of the system and shall indicate the
37 economic feasibility of plan implementation. The plans may also

1 specify local or lateral facilities and services. The sewerage and/or
2 water general plan does not mean the final engineering construction or
3 financing plans for the system.

4 (4) "Municipal corporation" means and includes any city, town,
5 metropolitan municipal corporation, any public utility district which
6 operates and maintains a sewer or water system, any sewer, water,
7 diking, or drainage district, any diking, drainage, and sewerage
8 improvement district, and any irrigation district.

9 (5) A "private utility" means and includes all utilities, both
10 public and private, which provide sewerage and/or water service and
11 which are not municipal corporations within the definition of this
12 chapter. The ownership of a private utility may be in a corporation,
13 nonprofit or for profit, in a cooperative association, in a mutual
14 organization, or in individuals.

15 (6) "Board" means one or more boards of county commissioners and/or
16 the legislative authority of a home rule charter county.

17 NEW SECTION. **Sec. 15.** Sections 1 through 8 of this act constitute
18 a new chapter in Title 70 RCW.

19 NEW SECTION. **Sec. 16.** Captions and part headings used in this act
20 are not any part of the law.

--- END ---